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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,111

03/02/2004

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EXAMINER

WILSON, LEE D

ART UNIT

PAPER NUMBER

3723

MAIL DATE

DELIVERY MODE

08/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/790,111

Applicant(s)

TANAKA ET AL.

Examiner

LEE D. WILSON

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-4, 6-7, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al (6782717).

Saito et al teach a method comprising the steps of polishing glass substrate (18), a treating liquid (col.4, lines 1-4 (colloidal particles) and col.11, lines 29-31 (shows a liquid being pure water), a tape (23), disturbance of the texture is reduce (note the pure water for cleaning the glass substrate reads on this limitation), a magnetic layer (col.7, lines 28-30), and a texture being formed along a circumference direction of the magnetic disk (abstract).

In regard to claim 9, see in particular claim 9 and then look at entire patent.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (6782717) in view of Shimada (6632547).

a. Saito et al are discussed above.

b. Saito et al teach the claimed method steps except for chemical strengthened glass substrates.

c. Shimada teaches a method comprising the steps of polishing glass substrate (col.1, 53-55 and fig.2a), a treating liquid (col.3, line 55 and col.5, 47-55 which shows a liquid having colloidal particles), a tape (col.5, 47-53), and a chemical strengthening (col.4, 45-65 and throughout the patent there are numerous other mentions.) which also for strengthening of a glass substrate.

d. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Saito et al device by providing the chemical strengthened glass substrates step as taught by Shimada which also for strengthening of a glass substrate.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (6782717) in view of Saito et al (2003/0110803A1).

e. Saito et al are discussed above.

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- f. Saito et al teach the claimed method steps except for chemical strengthened glass substrates.
- g. Saito et al (2003/0110803A1) teach a method comprising the steps of polishing glass substrate (abstract), a treating liquid (40 and a liquid having colloidal particles), a treating liquid (pure water par.98), a tape (30), and a chemical strengthening (abstract and throughout the patent there are numerous other mentions.) which also for strengthening of a glass substrate.
- h. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Saito et al device by providing the chemical strengthened glass substrates step as taught by Saito et al (2003/0110803A1) which also for strengthening of a glass substrate.

Response to Arguments

- 6. **Applicant's arguments filed 5/29/07 have been fully considered but they are not persuasive.**
- 7. **Applicant feels that the prior art does not read on the instant invention in view of the amendment.**
 - i. The amended step placed into the claim is old in the art. May in the art clean the substrate with pure water after the polishing process. Saito et al discloses in par.75 that there are no particular limitations on the washing method so one of ordinary skill in the art would have been within the technical grasp leading the anticipated success yielding predictable results.

- j. In regard to teaching, motivation, and specific teachings KSR forecloses these arguments in regard to findings of obviousness. See EX Parte Smith, USPQ2d, slip op at 20 (Bd Pat App & Interf June 25 2007).
- k. The prior art discloses values within this range and the actual range. Please note the citations col.5, lines 45-53 and col.6, lines 58-67 and col.9, lines 66-67 and col.10, lines 27-34. and claim 8.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

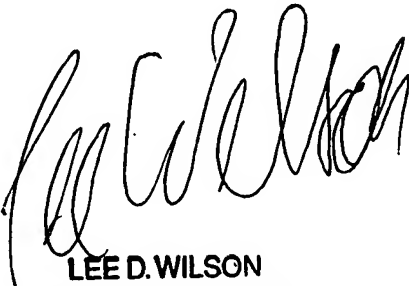
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH HAIL can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ldw

November 21, 2006



LEE D. WILSON
PRIMARY EXAMINER